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THIRD CONFERENCE ON THE LAW OF THE SEA

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THIRD COMMITTEE

Iraq: draft articles on scientific research^{1/}

Item 2(a) - Right to undertake scientific research activities

1. Coastal States have the exclusive right to conduct and regulate scientific research activities in their (...)*/ and to authorize and regulate such research as provided for in article ...
2. Scientific research activities in the international area**/ shall be conducted directly by the International Authority and, if appropriate, by persons, juridical or physical, through service contracts or associations or through any other such means as the International Authority may determine, which shall ensure its direct and effective control at all times over such research.

Item 2(b) - Consent, participation and obligations of the coastal State

1. Scientific research activities in the (...)*/ of a coastal State shall not be conducted without the explicit consent of that State.

*/ A decision on the precise terms to be used here, such as economic zone, patrimonial sea, national sea or area under national jurisdiction and/or sovereignty, and continental shelf, and which do not refer to the international area, shall be adopted in the light of the decisions on the definition and nature of those terms in the Second Committee.

**/ The international area referred to in this paragraph is the area with which the First Committee is concerned. With regard to the remaining international area, the matter will be discussed at a later stage.

^{1/} The delegate of Iraq, as the Chairman of the Group of 77 of the Third Committee, while presenting this document, would like to point out that it has been agreed upon by consensus by the Group of 77 of the Third Committee without committing the final position of members of the Group.

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2. States and appropriate international and regional organizations, as well as persons, juridical and physical, seeking consent of the coastal State to conduct scientific research in the area referred to in paragraph 1 shall, inter alia:

(1) undertake to conduct the research exclusively for peaceful purposes;

(2) disclose the nature and objective of the research, as well as the means to be used, including ODAS;

(3) indicate the precise geographical area in which the activities concerning such research are to be conducted;

(4) state the proposed date for commencement of the activities and the period for completing the project;

(5) give full information and particulars regarding the sponsoring institution, if any, the scientific staff, and the vessels, equipment and other means to be employed;

(6) provide the coastal State with a detailed description of the research project which shall be kept up to date;

(7) include active participation or representation of the coastal State, if it so desires, in all stages of the research project;

(8) undertake to supply on time all raw and processed data, including the final evaluations and conclusions and samples to the coastal State;

(9) assist the coastal State in assessing the implications of the said data and samples and the results thereof in such a manner as that State may request;

(10) undertake that results of scientific research shall not be published without the explicit consent of the coastal State; and

(11) undertake to comply with all applicable environmental standards and regulations of the coastal State, as well as international standards established or to be established by (insert name or names of appropriate organizations).

3. The coastal State shall have the right to supervise scientific research activities undertaken in the area referred to in paragraph 1 and suspend or terminate them if that State finds that these activities are not being carried out for the declared objective or purpose of the research or are not being carried out in accordance with the provisions of these articles.

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4. Coastal States in considering requests by States to undertake scientific research in their^{*/} ... shall extend preferential treatment to developing neighbouring land-locked States and other developing neighbouring geographically disadvantaged States, as defined in this Convention.
5. The exercise of innocent passage and navigation does not confer on States, international organizations or other juridical or natural persons the right to undertake scientific research.
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[6. Considering that certain scientific research activities which are not carried out directly in the marine environment should be subject to regulation by the coastal State the Group of 77 agreed to draw up appropriate provisions on activities carried out by satellites, remote sensing devices or other means, which do not operate in the marine environment.]

^{*/}. A decision on the precise terms to be used here, such as economic zone, patrimonial sea, national sea or area under national jurisdiction and/or sovereignty, and continental shelf, and which do not refer to the international area, shall be adopted in the light of the decisions on the definition and nature of those terms in the Second Committee.